

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

DALE YLITALO, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

AUTOMATIC DATA PROCESSING,
INC., ADP, INC., and AMERICAN
CENTURY INVESTMENT
SERVICES, INC.,

Defendants.

Case No. 2:24-cv-07635-JKS-LDW

Hon. Jamel K. Semper, U.S.D.J.
Hon. Leda Dunn Wettre, U.S.M.J.

Motion Return Date: October 6, 2025¹

ORAL ARGUMENT REQUESTED

NOTICE OF MOTION TO DISMISS

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Counsel for Defendants Automatic
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Inc.

¹ Movants have selected October 6, 2025 as the Motion Day to comply with the Order Granting Defendants' Motion for Extension of Time to Respond to the Complaint and Setting Briefing Schedule, entered August 27, 2024 [ECF No. 30.]

PLEASE TAKE NOTICE that on October 6, 2025, or such other time and date as set by the Court, Defendants Automatic Data Processing, Inc. and ADP, Inc. will move before the Honorable Judge Jamel K. Semper, Judge of the United States District Court for the District of New Jersey, Frank Lautenberg Post Office & U.S. Courthouse, 2 Federal Square, Newark, New Jersey, for entry of an Order granting Defendants' Motion to Dismiss Plaintiff's Class Action Complaint.

PLEASE TAKE FURTHER NOTICE that this motion is supported by the accompanying Memorandum of Law in Support of Defendants' Motion to Dismiss Plaintiff's Class Action Complaint and the Declaration of Xochitl S. Strohbehn, as well as the exhibits and attachments thereto.

PLEASE TAKE FURTHER NOTICE that the Court has entered a modified briefing schedule for this Motion at Doc. No. 30.

PLEASE TAKE FURTHER NOTICE that a proposed form of Order is being submitted herewith.

PLEASE TAKE FURTHER NOTICE that, pursuant to Local Civil Rule 78.1(b), Defendants request oral argument on this motion.

Dated: New York, New York
July 25, 2025

/s/ Michael A. Guerra
Michael A. Guerra

CERTIFICATE OF SERVICE

I certify that on this day, July 25, 2025, I served the foregoing Notice of Motion to Dismiss, Defendants Automatic Data Processing's and ADP, Inc.'s Memorandum of Law in Support of Their Motion to Dismiss Plaintiff's Class Action Complaint, and the Declaration of Michael A. Guerra and the supporting exhibits thereto on counsel to Plaintiff Dale Ylitalo via email at JAW@federmanlaw.com, WBF@federmanlaw.com, and ggraifman@kgglaw.com.

Dated: July 25, 2025

VENABLE LLP

By: /s/ Michael A. Guerra
Michael A. Guerra (No. 089092013)